CLERK'S OFFICE U.S. DISTRICT COURT AT ROANOKE VA. - FILED

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IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

HARRY LEE ALSTON, JR.,)	
Petitioner,)	Civil Action No. 7:07CV00434
)	
)	
v.)	FINAL ORDER
)	
)	
GENE M. JOHNSON,)	By: Hon. Glen E. Conrad
Respondent.)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and **ORDERED**

that respondent's motion to dismiss shall be and hereby is **GRANTED**; Alston's request for an evidentiary hearing is **DENIED**; and Alston's petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is **DISMISSED**. This case shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send copies of this Order and accompanying Memorandum Opinion to petitioner and counsel of record for respondent.

ENTER: This 2016 day of February, 2008

United States District Judge